

### **Remarks**

With respect to the Specification, on page 3, line 14, the word “chromium” is amended to “cobalt” to be consistent with the rest of the specification. The Examiner is thanked for such note.

With respect to the objection to the abstract, the abstract is amended to be a single paragraph with no other changes made. The abstract is attached as a separate page.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Claim 1 has been amended to provide detailed and essential steps for enabling the invention and thus as amended it overcomes such rejection.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 has been amended to point out and distinctly claim the invention, in particular, the step of preparing the carbonate precursors, the step of preparing compounds of lithium transition metal oxide, among others. Thus, claim 1 as amended overcomes such rejection.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,160,712 to Thackeray et al. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,783,333 to Mayer.

Claim 1 has been amended to provide a narrow scope to overcome Thackeray and Mayer. The specific steps as recited in claim 1 where it provides for specific starting solutions, intermediate compounds, and end products are not anticipated by Thackeray, Mayer or the combination thereof. For example, the use of a first solution containing at least two ions and the

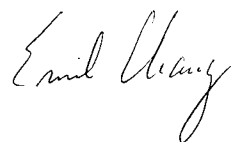
use of a second solution containing  $\text{CO}_3$  to generate the precursor under specific conditions are not described by Thackeray or Mayer. Furthermore, the evenly mixing of the precursor and  $\text{Li}_2\text{CO}_3$  is not described by Thackeray or Mayer. The resulting material is calcinated, cooled and pulverized twice under different conditions again is not described by Thackeray or Mayer or other references.

A second claim set, claims 18-20, is a picture claim set based on the first claim set with many of the limitations of the dependent claims.

Applicants respectfully submit that the claims are allowable. Should the Examiner have any questions, please contact the undersigned attorney. Thank you.

Respectfully submitted,

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